

DECLARATION AND POWER OF ATTORNEY  
PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole (if only one name is listed below) or an original, first and joint (if plural names are listed below) inventor of the subject matter which is claimed and for which a patent application is sought on the invention entitled:

CELLULAR IMMUNOTHERAPY

the specification of which

[X] is attached hereto.

[ ] was filed on \_\_\_\_\_, as application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/US97/02309  
U.S. Parent App'n. or  
PCT Parent No

20 February 1997  
Parent Filing Date

\_\_\_\_\_  
Parent Patent Number  
(if applicable)

I hereby appoint Jerry K. Mueller, Jr., Reg. No. 27,576, and Gerald L. Smith, Reg. No. 22,009, jointly and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. I hereby direct that all correspondence be addressed to: Mueller and Smith, LPA, 7700 Rivers Edge Drive, Columbus, Ohio 43235, and all telephone calls be directed to Gerald L. Smith, at telephone number (614) 436-0600.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Richard G. Olsen

CO

1-00

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Montrose, Colorado

Citizenship: USA

Post Office Address: 63225 Jorden Court , Montrose, Colorado 81401

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2-00

Full name of second inventor: John L. Ridihaigh

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Columbus, Ohio

CO

Citizenship: USA

Post Office Address: 2112 Iuka Avenue, Columbus, Ohio 43201

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the specification of which

[ ] is attached hereto.

[X] was filed on August 21, 1998, as application Serial No. 09/125841, and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Cira Technologies, Inc.

Filed: Herewith

Mark: Cellular Immunotherapy

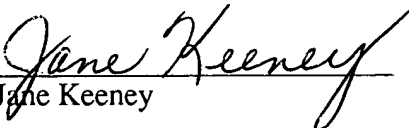
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

"Express Mail" mailing label number EL 058567041 US

Date of Deposit: August 21, 1998

I hereby certify that this Filing under 35 U.S.C. 371, with Declaration, Small Entity Status and check, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Jane Keeney

Applicant: Richard G. Olsen and John L. Ridihalgh  
Serial or Patent No. ---  
Filed or Issued: Herewith  
For: Cellular Immunotherapy

File No. CIR 2-001-3

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c))-SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: CIRA TECHNOLOGIES, INC.

Address of Concern: 7700 Rivers Edge Drive, Columbus, OH 43235

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 12.13-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties control or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled \_\_\_\_\_, by inventor): \_\_\_\_\_ described in:

☒ the specification filed herewith

☐ application serial no.

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 35 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). NOTE" Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

Name:

Address:

☐ individual ☐ small business concern ☐ nonprofit organization

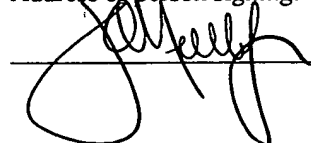
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Jerry K. Mueller, Jr.

Title of person if other than owner: Secretary

Address of person signing: 7700 Rivers Edge Drive, Columbus, OH 43235



Date 21 August 1998